

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RALPH S. JANVEY, in his capacity as court-appointed receiver for the Stanford receivership estate; The OFFICIAL STANFORD INVESTORS COMMITTEE; PAM REED; SAMUEL TROICE; and MICOACAN TRUST; individually and on behalf of a class of all others similarly situated.

Plaintiffs.

CIVIL ACTION NO. 3:12-cv-04641

VS.

GREENBERG TRAURIG, LLP;
HUNTON & WILLIAMS, LLP; and
YOLANDA SUAREZ,

Defendants.

**HUNTON & WILLIAMS LLP'S OPPOSED MOTION FOR
LEAVE TO FILE NOTICE OF SUPPLEMENTAL AUTHORITY
IN SUPPORT OF MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendant Hunton & Williams LLP (“Hunton”) respectfully submits this opposed motion for leave to file a short notice of supplemental authority (attached hereto as Exhibit A) in support of its Motion for Judgment on the Pleadings on Claims by Non-Clients (“Motion”) [ECF 207], to inform the Court of a recent decision, *Santiago v. Mackie Wolf Zientz & Mann, P.C.*, No. 05-16-00394-CV, 2017 WL 944027 (Tex. App.—Dallas, Mar. 10, 2017, no pet.) (“*Santiago II*”), bearing on the parties’ arguments in that Motion. In support of this motion for leave, which Plaintiffs oppose, Hunton states as follows:

1. On July 15, 2016, Hunton filed its Motion. Plaintiffs filed an opposition to that motion on August 5, 2016. Class Plaintiffs' Response to Hunton & Williams LLP's Motion for Judgment on the Pleadings ("Opposition") [ECF 214]. Hunton filed its reply on September 2,

2016. Hunton's Reply in Support of its Motion for Judgment on the Pleadings On Claims by Non-Clients ("Reply") [ECF 217]. Since briefing was completed, Hunton has filed two opposed motions seeking leave to file notices of supplemental authority as to *Farkas v. Wells Fargo Bank, N.A.*, No. 03-14-00716-CV, 2016 WL 7187476 (Tex. App.—Austin, Dec. 8, 2016, no pet. h.) [ECF 221] and *LJH, LTD v. Jaffe*, No. 4:15-cv-00639-ALM, 2017 WL 447572 (E.D. Tex. Feb 2, 2017) [ECF 223].

2. In their Opposition, Plaintiffs cited *Santiago v. Mackie Wolf Zientz & Mann, P.C.*, No. 05-13-00020-CV, 2014 WL 4072131 (Tex. App.—Dallas, Aug. 19, 2014, pet. denied) ("*Santiago I*"), for the proposition that attorney immunity does not apply outside of the litigation context. Opp. 4.

3. As discussed more fully in the attached proposed notice, the Texas Appellate Court in Dallas recently decided *Santiago II*, which effectively overrules *Santiago I* and confirms that immunity applies outside the litigation context.

4. On April 12, 2017, one of Hunton's attorneys, Jeffrey D. Colman, telephoned Plaintiffs' counsel, Edward Snyder, to ask if Plaintiffs would consent to the relief sought in this motion. Also on April 12, 2017, Mr. Snyder emailed Mr. Colman and informed him that Plaintiffs oppose this motion.

5. WHEREFORE, Hunton respectfully requests that the Court enter an order granting Hunton leave to file the attached short notice of supplemental authority in support of its Motion for Judgment on the Pleadings on Claims by Non-Clients, to address the March 10, 2017 Texas appellate court decision in *Santiago II*.

Dated: April 19, 2017

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Respectfully submitted,

By: s/ Jeffrey D. Colman
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Counsel for Hunton & Williams LLP
Admitted Pro Hac Vice

CERTIFICATE OF CONFERENCE

I, Jeffrey D. Colman, hereby certify that on April 12, 2017, I telephoned Edward Snyder, counsel for Plaintiffs, regarding the relief requested in the foregoing motion. In a return email on April 12, 2017, Mr. Snyder indicated that Plaintiffs oppose Hunton's motion.

/s/ Jeffrey D. Colman
JEFFREY D. COLMAN

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2017, I electronically filed the foregoing **Hunton & Williams LLP's Motion for Leave to File Notice of Supplemental Authority in Support of Motion for Judgment on the Pleadings** with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this notice as service of this document by electronic means.

s/ Jeffrey D. Colman
JEFFREY D. COLMAN